



**STATE OF NEW JERSEY**

**FINAL ADMINISTRATIVE ACTION  
OF THE  
CIVIL SERVICE COMMISSION**

In the Matter of Reallocation of Fire  
Instructor

Request for Title Reallocation

CSC Docket No. 2022-44

**ISSUED: SEPTEMBER 7, 2021 (EG)**

The Division of Agency Services (Agency Services) recommends reallocation of the local government title of Fire Instructor to the non-competitive division of the career service in accordance with *N.J.A.C. 4A:3-1.2*, effective September 11, 2021.

As background, Hunterdon County requested the reallocation of Fire Instructor to the non-competitive division to provide local jurisdictions with the flexibility needed to meet their staffing needs. The title requires a Fire Service Instructor Certificate Level 1 or 2 issued by the Department of Community Affairs (DCA), Division of Fire Safety. Applicants for this title must pass both a written and skills examination. Agency Services explains that since applicants are already tested by DCA to obtain their certificates, it is redundant and unnecessary to test applicants a second time. Additionally, the hiring agencies can easily verify applicants' certification status with DCA. Further, Agency Services notes that the three years of firefighting experience requirement for the examination is also required to obtain a Fire Service Instructor Certificate. Thus, the State-issued certification is all that is needed to qualify for the subject title. Moreover, Agency Services asserts that the title is entry-level for the series and that the Civil Service Commission (Commission) has previously approved entry-level title reallocations to the non-competitive division that included a State issued certification as the primary requirement.

Furthermore, Agency Services states that any existing eligibility list for Fire Instructor and any current announcements for examinations that have not been administered be cancelled after the reallocation of the title. It adds that permanent

employees in the Fire Instructor title as of the effective date of the reallocation shall have their appointment type changed to non-competitive and will retain their permanent status in the non-competitive division. Probationary employees in the subject title as of the date of reallocation shall continue serving a working test period and upon successful completion gain permanent status in the non-competitive division. Provisional employees serving in the title as of the effective date of the reallocation shall receive a regular appointment and begin serving their working test periods on the effective date.

Agency Services advises that notice was provided to local appointing authorities who have incumbents serving in the subject titles and a notice of the proposal was posted to this agency's website. However, no comments were received.

### **CONCLUSION**

*N.J.A.C.* 4A:3-1.2 provides, in part, that the Commission may reallocate titles from the competitive to the non-competitive division when competitive testing is not practicable due to the nature of the knowledge, skills, and abilities associated with the job or when certification procedures based on ranked eligible lists have not or are not likely to meet the needs of appointing authorities due to such factors as salary, geographic location, recruitment problems and working conditions.

Based on the foregoing, ample reasons exist for the reallocation of the Fire Instructor title to the non-competitive division of the career service. The requirements of three years of firefighting experience, a Fire Service Instructor Certificate Level 1 or 2 issued by DCA, and the passing of a written and skills test are redundant. Issuance of a Fire Service Instructor Certificate Level 1 or 2 by DCA requires three years of firefighting experience and passing an examination. Therefore, given that this is an entry level title with the primary requirement being possession of a State issued certification it is not necessary to determine merit and fitness via competitive testing. Thus, competitive testing procedures and certification procedures are not necessary for this title.

### **ORDER**

Therefore, it is ordered that the Fire Instructor title be reallocated to the non-competitive division of the career service. It is also ordered that this action be effective September 11, 2021.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE  
CIVIL SERVICE COMMISSION ON  
THE 1<sup>ST</sup> DAY OF SEPTEMBER, 2021

*Deirdre' L. Webster Cobb*

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